

a motion for injunctive relief and the claims set forth in the underlying complaint itself.” Pac. Radiation Oncology, LLC v. Queen’s Med. Ctr., 810 F.3d 631, 636 (9th Cir. 2015). A preliminary injunction “may never issue to prevent an injury or harm which not even the moving party contends was caused by the wrong claimed in the underlying action.” Omega World Travel, 111 F.3d at 16.

Applying these standards, the court concludes that Nealson’s motion for a preliminary injunction must be denied. The motion does not address any of the requirements set forth in Winter, much less make a “clear showing” as to each requirement. Winter, 555 U.S. at 22; see also Pashby v. Delia, 709 F.3d 307, 320–21 (4th Cir. 2013) (emphasizing that each Winter factor must be satisfied). Nor does the motion seek to prevent harm caused by the conduct asserted in the underlying complaint. Instead, the motion seeks relief for violations of prison mail procedures that allegedly occurred after the instant action was filed. Because these new allegations are not related to the conduct described in the complaint, “they cannot provide the basis for a preliminary injunction in this lawsuit.” Devose, 42 F.3d at 471.

For these reasons, it is hereby **ORDERED** that Nealson’s motion for a preliminary injunction, ECF No. 46, is **DENIED**. The Clerk is directed to send a copy of this order to the parties.

It is so **ORDERED**.

Entered: March 5, 2024



Michael F. Urbanski
Chief U.S. District Judge
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Michael F. Urbanski
Chief United States District Judge